GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Sri N.Nageswara Rao, former Deputy Tahsildar (Retired), O/o Tahsildar, Amarthalur (M), Guntur District - Disciplinary proceedings instituted - Inquiry conducted and awarded minor penalty of "withholding of one Annual grade increment without cumulative effect" - Revision Petition filed - Allowed Partly duly confirming the orders of minor penalty - Orders - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.353

Dated:11.04.2023.
Read the following:

1. Proceedings in Rc.No.122/2013-A4, Dt:11.03.2016 of the Collector, Guntur.
2. Proceedings of the District Collector, Guntur, Rc.No.REVGNT-ASE0DIS/3/2017-SA (A4)-COLGNT, DT:07.12.2019.
3. Appeal dt:29.02.2020 of Sri N.Nageswara Rao, Deputy Tahsildar (Retd), O/o the Sub Collector, Tenali, Guntur Dist.
4. Orders of the CCLA in CCLA's Proc No.VS.I(2)/248/2020, Dt:19.07.2021.
5. Revision petition dt:06.08.2021 filed by Sri N.Nageswara Rao, Deputy Tahsildar (Retd), O/o the Sub Collector, Tenali, Guntur Dist.
6. Orders dt:23.11.2021 of the Hon'ble High Court in W.P.No.26756 filed by Sri N.Nageswara Rao, Deputy Tahsildar (Retd).
7. Govt. Memo.No.LANAOCCLV/71/2021-VIG.III(2), Dated.22.11.2021.
8. From the District Collector, Guntur, Lr.No.REVGNT-ASEC0DISC/3/2017-SA(A4)-COLGNT, Dt.28.01.2022.
9. Remarks of CCLA in E-file bearing Comp.No.1562683, Dated.27.09.2022.

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ORDER:

Whereas, in the reference 1st read above, disciplinary proceedings has been instituted against Sri N.Nageswara Rao, former Deputy Tahsildarr O/o Tahsildar, Amarthalur (M), Guntur District on the allegation of (i) issue of PPBs by cancelling old entries and attested the cancelled entries as Tahsildar with green ink without competency and also (ii) issued Income certificate in favour of Sri Arimanda Lakshmi Narayana R/o Vamanaguntapalem Village of Amarthalur Mandal on 16.07.2012 i.e after relieve from additional charge as Tahsildar. The Charged Officer has submitted explanation on denying the charges and the Collector, Guntur appointed RDO as Inquiry officer and Inquiry officer submitted report stating that Kothapalli Benjimen who worked as VRO, Kuchipudi and also worked as in charge VRO, Inturu Village of Amarthaluru Mandal, made entries in 1-B register in place of cancelled khatas and also PPBs which were already cancelled relating to other farmers without any orders of the Tahsildar. Sri N.Nageswara Rao, delinquent officer who worked as Tahsildar FAC, Amarthaluru from 24.04.2012 to 28.04.2012 has confirmed that the entries made by the VRO in PPBs are attested with his signature without mentioning date but he has not signed in 1-B register of Inturu village, which clearly discloses that Sri N.Nageswararao, Delinquent officer has not followed the procedure while confirming the entries made by the VRO though the farmers and their lands are genuine.

2. And whereas, based on the Inquiry Officer's report and after following the due procedure under the A.P.C.S (CC&A) Rules, the Collector, Guntur has passed orders i.e., imposing minor penalty of "withholding of one annual grade increment without cumulative effect" under Rule 9(iv) of APCS (CC&A) Rules, 1991, vide reference 2nd read above.

3. Aggrieved by the above orders, Sri N.Nageswara Rao,former Deputy Tahsildar (Retired), has filed appeal before the appellate authority i.e. the Chief Commissioner of Land Administration, A.P., After careful examination of the

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connected records, the appellate authority/CCLA, while disposing the appeal, has set aside the punishment imposed by the Collector, Guntur District and directed him to order for fresh enquiry and pass appropriate orders within 6 months from the date of receipt of order, vide reference 4th read above.

4. Aggrieved by the above orders of the appellate authority, Sri N.Nageswara Rao, former Deputy Tahsildar (Retired), has filed revision petition before the Government. He has stated, among others, that basing on the report of VRO and 1B register, attestations were made in the connected PPBs. He has not cancelled the old entries and attested the cancelled entries. However, he has attested the entries in connected PPBs as per 1B register only, in which the entries are corrected earlier by the VRO. Therefore, the allegation that he has colluded with the VRO is not correct as the entries in the 18 register were corrected long back by the VRO. He has also stated that the Appellate Authority have not issued any orders on his Appeal even after completion of the currency of his punishment which was concluded on 7.12.2020 or even before his retirement of service on 30.6.2021. He has submitted that he had already been imposed a penalty by the Dist. Collector, Guntur and the penalty was also implemented. He retired from service on 30.6.2021. Therefore, the order passed by the Appellate authority & CCLA, AP, Vijayawada is illegal, contrary and the same is liable to be set aside. He has requested the Government to drop minor penalty imposed by the Dist. Collector, Guntur and set aside the Appellate Orders CCLA's Proc No. VSI (2)/248/2020 dated 19.7.2021.

5. And whereas, in the reference 6th read above, in W.P.No.26756 filed by the appellant before the Hon'ble High Court, the Hon'ble Court has passed orders directing the Government to pass appropriate orders on the Revision filed by the petitioner as expeditiously as possibly, preferably in four (4) months from the date of receipt of copy of order, after giving an opportunity of hearing. Till such time, the enquiry directed against the petitioner shall not proceeded with.

6. In the reference 7th read above, the CCLA and the District Collector, Guntur have been requested to furnish remarks on the petition filed by the individual and also connected records to the Government for taking further necessary action.

7. In the ref 8th read above the District Collector, Guntur has furnished connected records relating to this case and requested the Government for taking necessary action in the matter.

8. Government, after careful examination of the matter in consultation with the CCLA and in compliance with the orders of the Hon'ble High Court of Andhra Pradesh have decided to allow the revision petition of Sri N.Nageswara Rao, Deputy Tahsildar, (Retired on 30.06.2021) partly, duly confirming the penalty of withholding of one increment without cumulative effect imposed by the District Collector, Guntur and set aside the proceedings of the Chief Commissioner of Land Administration, A.P., Mangalagiri in the reference 4th read above, issued against petitioner who retired from service on 30.06.2021, which are contrary to A.P.Revised Pension Rules, 1980.

9. Accordingly, Government after careful consideration of the matter and in exercise of the powers conferred under Rule 40 of A.P.Civil Services (CC&A) Rules, 1991 read with Rule -9 of A.P.Revised Pension Rules, 1980 hereby confirm the penalty of withholding of one increment without cumulative effect imposed by the District Collector, Guntur against Sri N.Nageswara Rao, Deputy Tahsildarr (Retired), O/o Tahsildar, Amarthalur (M), Guntur District vide reference 2nd read

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above and duly setting-a-side the proceedings of the Chief Commissioner of Land Administration, A.P., Mangalagiri issued against the petitioner in the reference 4th read above.

10. The Chief Commissioner of Land Administration, A.P., Mangalagiri/ The District Collector, Guntur shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To:
Sri N.Nageswara Rao, former Deputy Tahsildarr O/o Tahsildar, Amarthalur (M), Guntur District **through** the Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Collector & District Magistrate, Guntur.
Copy to:
The Prl. Accountant General, A.P., Vijayawada.
The Director of Treasuries & Accounts, A.P., Tadepalli.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER